

REMARKS

Status of the Claims

- Claims 1-9, 15, and 18 are pending in the Application after entry of this amendment.
- Claims 1-9, 15, and 18 are rejected by Examiner.

Claim Rejections Pursuant to 35 U.S.C. §103

Claims 1-3, 5-9, and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Admitted Prior Art in view of U.S. Patent Publication No. 2005/0285803 to Iacono et al. (Iacono) in view of U.S. Patent No. 6,941,152 to Proctor, Jr. et al. (Proctor). Applicant respectfully traverses the rejection.

Applicant notes that the current application claims priority to PCT Application PCT/EP04/11618 filed 14 October 2004 which further claims priority to EP application 0312251 filed 20 October 2003. The reference Iacono claims priority to US Provisional Application No. 60/577,334 filed 4 June 2004. The present application priority date is at least 6 months earlier than the reference Iacono.

Applicant respectfully submits that the present application claims priority to the EP application that was filed before the priority date of Iacono. Thus, Iacono cannot be considered prior art to the present application. The combination of Iacono and Proctor cannot have been considered by one of skill in the art at the time the present application was filed. Thus, the combination of Iacono and Proctor cannot render obvious the currently pending claims under 35 USC § 103(a). Applicant respectfully requests withdrawal of the current rejection of all pending claims.

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Conclusion

Applicant respectfully submits that the pending claims patentably define over the cited art and respectfully requests withdrawal of the rejections of all pending claims.

Applicant respectfully requests reconsideration for a Notice of Allowance for all pending claims.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 07-0832 therefore.

Respectfully submitted,
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